

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JOHN DOE, a minor,	:	Case No. 2:20-cv-4119
	:	
Plaintiff,	:	Chief Judge Algenon L. Marbley
	:	
v.	:	Chief Magistrate Judge Deavers
	:	
FRANKLIN COUNTY CHILDREN’S SERVICES, et al.,	:	
	:_	
	:	
Defendants.	:	


ORDER

This matter is before the Court on Plaintiff’s Motion to Enforce Subpoena. (ECF No. 21). Plaintiff’s counsel served a Rule 45 subpoena for documents and testimony on Mr. Richard Furnish on September 3, 2020. (ECF No. 21-1). Mr. Furnish was the guardian ad litem appointed by the Franklin County Domestic Relations Court for John Doe. (ECF No. 21 at 1).

Plaintiff maintains that Mr. Furnish acknowledged receipt of the subpoena by phone on September 3 and that counsel sent a follow up email requesting documents on September 4. (*Id.*). Mr. Furnish then replied that he was not comfortable sending the requested documents and said, “Anything further you send me will be sent directly to my TRASH and disregarded as UNRECEIVED.” (*Id.*).

Plaintiff’s counsel attached the served subpoena to his Motion, demonstrating he subpoenaed Mr. Furnish to appear at the Preliminary Injunction hearing scheduled for September 14, 2020 and bring information and documents related to his work as the guardian ad litem for John Doe. (ECF No. 21-1). For these reasons, Plaintiff’s Motion to Enforce Subpoena is **GRANTED**. Mr. Furnish is **ORDERED** to comply with the subpoena or respond with an appropriate notice of objections or motion to quash the subpoena.

IT IS SO ORDERED.



ALGENON L. MARBLEY
CHIEF UNITED STATES DISTRICT JUDGE

DATE: September 8, 2020